

because any combination of the references would still be deficient with respect to the claimed invention.

The Examiner acknowledges that Lachinski fails to disclose a line management unit which outputs a control signal to a rate controller as claimed but asserts that the Lotocky memory transfer system corrects this deficiency. However, the Lotocky memory transfer system is not applicable to Lachinski.

Lachinski and Lotocky have substantially different purposes and operate in a substantially different manner such that the teachings of Lotocky are not applicable to Lachinski. Lachinski is directed to the gathering of information, particularly the collection of video and spatial position data and storage of the collected data (*see* column 1, lines 13-15). In contrast, Lotocky is directed to a method for sharing a common non-volatile storage element as a boot device for multiple computing systems (*see* column 1, lines 62-64). More simply, Lachinski is directed to using video cameras to collect information and Lotocky is directed to playing out videos stored in memory.

Because Lotocky is concerned with a memory transfer system capable of efficiently sharing memory between multiple computing systems it is not relevant to Lachinski. Lachinski is not concerned with the use of memory as a boot device. In fact, Lachinski is directed to an opposite process; namely collecting data and storing it in memory. Therefore, one of ordinary skill in the art would not have been motivated to modify Lachinski with Lotocky because there is no need or use for the Lotocky memory transfer system in the Lachinski device.

Furthermore, even if it were appropriate to modify Lachinski with Lotocky, such a combination would still be deficient. The Examiner cites several passages from Lotocky as

teaching a line management unit which outputs a control signal to a rate controller as claimed (*see* page 4 of the Office Action). However, these passages only teach the concept of some coordination. They do not teach the specific line management unit which outputs the claimed control signal. Particularly, Lotocky lacks specific teaching of a control signal for controlling a transfer rate based upon the transfer capacity of the vehicle-inside communication line and transfer rate information indicative of a transfer rate used in the vehicle-inside communication line. Thus, even if the memory transfer of Lotocky were considered as the line management of the claimed invention, Lotocky fails to disclose the specifics of the claimed control signal and the manner in which a line management unit outputs the claimed control signal to the rate controller. Some generic form of management is not sufficient as teaching the claimed invention.

In view of the above, Applicants submit that claims 1, 3 and 12-14 are allowable over the combination of Lachinski and Lotocky at least because one of ordinary skill in the art would not have been motivated to combine these references, and because even if combined, any combination would still be deficient with respect to the claimed invention.

B) Claims 2 and 4

Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lachinski in view of Lotocky and further in view of Young (U.S. Patent No. 6,320,612). Claims 2 and 4 depend from claims 1 and 3 respectively. As discussed above, one of ordinary skill in the art would not have been motivated to modify Lachinski with Lotocky and any combination would be deficient with respect to claims 1 and 3. Young does nothing to correct the above-noted problems of the Examiner's combination of Lachinski and Lotocky. Accordingly,

Applicants submit that the combination of Lachinski, Lotocky and Young is also deficient with respect to claims 1 and 3 and dependent claims 2 and 4 at least because one of ordinary skill in the art would not have modified Lachinski with Lotocky, and even if the modification was made, any such combination would still be deficient in a manner that is not cured by Young.

Furthermore, there is no motivation for modifying Lachinski with Young. Although Lachinski has a rear camera, one of ordinary skill in the art would not have been motivated to modify it with the limiting teachings of Young. It is not enough that Lachinski could be modified, instead there must be some motivation for combining the references. In this case there is no motivation for modifying Young with Lachinski. Lachinski is directed to acquiring information, and thus its camera can be used at any time. Limiting the use of the Lachinski rear camera would hinder the Lachinski system, not improve it. Therefore, one of ordinary skill in the art would not have modified Lachinski with Young.

It appears as though the Examiner might be suggesting using the Young camera in addition to the already present Lachinski rear camera. However, such a camera would be redundant. Furthermore, there would have been no motivation for incorporating the additional camera taught by Young into the collection system of Lachinski because the Young camera would not be used for collecting video and spatial position data. Instead the Young camera would have to be on a separate system, and would not connected to the components shown in Fig. 2 of Lachinski. There is no motivation to use the separate Young camera with the Lachinski components shown in Fig. 2.

Accordingly, claims 2 and 4 are allowable over the combined teachings and suggestions of Lachinski, Lotocky and Young for at least the above-stated reasons.

AMENDMENT UNDER 37 C.F.R. 1.111
APPLN. NO. 09/982,771


DOCKET NO. Q66525
GROUP ART NO. 2613

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Stephen R. Valancius
Registration No. 57,574

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 7, 2005